IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8301 OF 2005

Ramesh S. Kamble ... Petitioner.

V/s.

The State of Maharashtra and Ors. ...Respondents.

Mrs.Varsha Palav for petitioner.
Mr.C.R. Sonavane AGP for respondent No.1, 2 & 5.
Ms.Manisha Dabhade for respondent No.3.
Mr.R.K. Mendadkar with D.M. Shah for respondent No.4.

CORAM : V.G. PALSHIKAR &
V.M. KANADE, JJ.

DATED : 12/07/06

P.C.:-

. By this petition, petitioner has impugned the order passed by the Caste Scrutiny Committee holding invalidity of his certificate and proclaiming him to be Christian Caste person.

. Voluminous evidence was led before Caste Scrutiny Committee and the Committee has, by elaborated well reasoned order, came to the conclusion that the petitioner has failed to prove that he belongs to Mahar Community which is scheduled

caste and therefore certificate of validity was not granted.

. Jurisdiction of High Court under Art.226 and 227 of the Constitution of India, of scrutinizing the judgment and order of subordinate courts, is limited. If the order does not violate principles of natural justice and infringe fundamental rights and is based on permissible evidence, then interference is not possible. In this case, there is no question of fundamental right being infringed. There is no complaint of violation of principles of natural justice. Entire evidence before the committee was scrutinized by the Committee and at a time which was either rejected or accepted, such well reasoned order can not be interfered under Art.226 and 227 of the Constitution of India. Hence, petition is dismissed.

V.G. PALSHIKAR, J.

V.M. KANADE, J.